

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHRISTINE CLAYTON,

Plaintiff,

vs.

No. CIV 09-0188 JB/ACT

VANGUARD CAR RENTAL U.S.A., INC.,

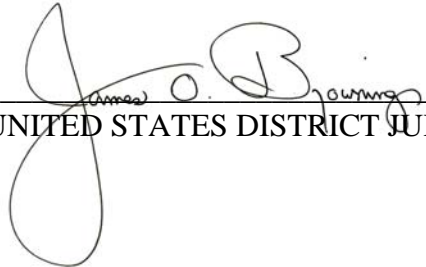
Defendant.

ORDER

THIS MATTER comes before the Court on Plaintiff's Motion for a Rule 16 Conference, filed September 30, 2009 (Doc. 53). The Court held a hearing on November 18, 2009. The primary issue is whether the Court should grant Plaintiff Christine Clayton's request, and conduct a pretrial management and discovery conference pursuant to rule 16 of the Federal Rules of Civil Procedure to dispose of pending discovery motions and to modify the discovery, pretrial, and trial schedules. Defendant Vanguard Car Rental U.S.A., Inc. opposes the scheduling of a rule 16 conference to address discovery issues that have been fully briefed in several separate discovery motions. See Defendant Vanguard Car Rental U.S.A. Inc.'s Response to Plaintiff's Motion for Rule 16 Conference at 1, filed October 19, 2009 (Doc. 70)("Response"). According to its response, Vanguard also does not agree that the pretrial deadlines need to be modified. See Response at 1. At the hearing on the motion, however, Trent Howell, Vanguard's attorney, stated that he agrees that the discovery deadline and Vanguard's dispositive motion deadline needs to be extended. For the reasons stated at the hearing, and for other reasons consistent with those already stated, the Court will grant Clayton's motion for a rule 16 pretrial conference. Additionally, the Court will grant the parties' request to extend the discovery, pretrial, and trial deadlines in this case. The Court requests

that the parties confer and submit a proposed schedule and order to the Court, proposing new deadlines and leaving blanks for the Court to set its dates for interaction with the Court.

IT IS ORDERED that Plaintiff's Motion for a Rule 16 Conference is granted.


UNITED STATES DISTRICT JUDGE

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